

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

DATA MARKETING PARTNERSHIP, LP,
et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
LABOR, et al.,

Defendants.

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) Civil Action No. 4:19-cv-00800-O
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JOINT STATUS REPORT

Pursuant to this Court's August 11, 2023 Opinion and Order Denying Defendants' Motion to Remand (ECF No. 51), the parties submit this joint status report as to how this Court should proceed with this case. The parties jointly propose that the Court set the following briefing schedule:

- * On or before January 15, 2024, Plaintiffs will file a motion for summary judgment regarding the issues remanded by the Fifth Circuit as to the permanent injunction requested by Plaintiffs (not to exceed 30 pages).
- * On or before February 26, 2024, Defendants shall file their opposition to Plaintiffs' motion for summary judgment (not to exceed 40 pages).
- * On or before March 18, 2024, Plaintiffs shall file a reply brief in support of their motion for summary judgment (not to exceed 20 pages).

There is good cause to enter this proposed briefing schedule. Due to the overlap of preexisting deadlines and obligations for undersigned counsel and in-house counsel for the parties, this is the earliest schedule practical for all parties. The parties agree that this proposed schedule will not prejudice any party.

Moreover, the parties agree that the sole remaining issue in this case is whether the Court should enter a permanent injunction as additional relief beyond the vacatur of the Department of Labor's Advisory Opinion, and that the issues remanded by the U.S. Court of Appeals for the Fifth Circuit must be addressed for that purpose.

For the foregoing reasons, the parties request that the Court enter the briefing schedule proposed above.

Dated: September 14, 2023

/s/ Jonathan D. Crumly

Jonathan D. Crumly, Sr.

Pro Hac Vice

Freeman Mathis & Gary, LLP

100 Galleria Parkway, Suite 1600

Atlanta, GA 30339

Tel: 770.8180000

Fax: 770.937.9960

Email: Jonathan.Crumly@fmglaw.com

Robert G. Chadwick, Jr.

Texas Bar No. 04056075

Freeman Mathis & Gary, LLP

7160 Dallas Parkway, Suite 625

Plano, Texas 75024

Tel: 469.895.3003

Fax: 888.356.3602

Email: bob.chadwick@fmglaw.com

Michael L Jones

Texas Bar No. 10929460

Law Office of Michael Jones

16901 Dallas Parkway, Suite 202

Addison, TX 75001

Tel: 214-954-9700

Email: mjones@henryandjones.com

Attorneys For Plaintiffs

Respectfully submitted,

BRIAN M. BOYNTON

Principal Deputy Assistant Attorney General

JULIE STRAUSS HARRIS

Assistant Director

Civil Division, Federal Programs Branch

/s/ Galen N. Thorp

GALEN N. THORP (VA Bar # 75517)

Senior Trial Counsel

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street NW

Washington, D.C. 20530

Tel: (202) 514-4781 / Fax: (202) 616-8460

galen.thorp@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

On September 14, 2023, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served the parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Robert G. Chadwick Jr.
Robert G. Chadwick, Jr.